

Message Text

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ORIGIN IO-10

INFO OCT-01 NEA-10 ISO-00 L-03 EA-07 AF-06 OES-03 PM-04

DODE-00 FEA-01 AID-05 CEQ-01 CIAE-00 OFA-01 COME-00

EB-07 EPA-01 INR-07 NSF-01 NSC-05 NSAE-00 USIA-06

SS-15 SP-02 INT-05 ARA-06 EUR-12 /119 R

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DOD/ISA:COL. WOOTEN

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FM SECSTATE WASHDC
TO USMISSION USUN NEW YORK
INFO AMEMBASSY TRIPOLI

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E.O. 11652: N/A

TAGS: UNGA UNEP SWEL

SUBJECT: 30TH UNGA SECOND COMMITTEE--ITEM 59 ENVIRONMENT--
LIBYAN RESOLUTION
REF: USUN 5027

1. IF LIBYAN RESOLUTION CONCERNING REMOVAL OF MINES AND
OTHER REMNANTS OF WAR (TEXT REPORTED REFTTEL) IS INTRO-
DUCED AND COMES TO A VOTE IN 2ND COMMITTEE, USDEL SHOULD
CONSULT WITH ALLIES AND OTHER APPROPRIATE DELS. FOR
REASONS OUTLINED BELOW WE FIND LIBYAN RESOLUTION OB-
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JECTIONABLE BUT DO NOT WISH TO GET OUT IN FRONT SINCE

RESOLUTION IS APPARENTLY AIMED MORE AT CERTAIN EUROPEAN COUNTRIES THAN AT US. WE WOULD PREFER JOIN LARGE BLOCK OF NEGATIVE VOTES ON THIS RESOLUTION, BUT IF MAJORITY OF DELS WHO ARE SYMPATHETIC TO US POSITION CHOOSE TO ABSTAIN RATHER THAN VOTE "NO", USDEL MAY JOIN IN ABSTAINING.

2. USDEL SHOULD GIVE EXPLANATION OF VOTE ALONG FOLLOWING LINE WHETHER IT ABSTAINS OR VOTES AGAINST RESOLUTION: THE US FINDS THIS RESOLUTION VAGUE AND WITH MANY SECTIONS THAT ARE INAPPROPRIATE FOR CONSIDERATION BY THIS COMMITTEE UNDER AGENDA ITEM 59. THERE ARE SEVERAL PARAGRAPHS IN THE PREAMBLE AND OPERATIVE SECTION WHICH ARE NOT CORRECT STATEMENTS OF INTERNATIONAL LAW AND WHICH HAVE IMPLICATIONS THAT ARE UNACCEPTABLE TO MY COUNTRY. MY GOVERNMENT DOES NOT BELIEVE THAT UNEP WOULD BE THE PROPER FORUM FOR THE STUDY

REQUESTED IN OPERATIVE PARAGRAPH 5, BUT OTHERWISE HAS NO OBJECTION TO SUCH A STUDY.

3. FYI. DURING WORLD WAR II THE US DID NOT RPT NOT PLANT MINES IN LIBYA, AND WE THEREFORE ASSUME THAT FROM LIBYA VIEWPOINT THIS RESOLUTION IS AIMED AT OTHER EUROPEAN COUNTRIES. IN THE CASE OF VIETNAM, THE US NEGOTIATED WITH THE NORTH VIETNAMESE GOVERNMENT A PROTOCOL TO THE 1973 VIETNAM AGREEMENT CONCERNING THE REMOVAL OR DEACTIVATION OF ORDNANCE FROM NORTH VIETNAMESE WATERS. THE US FILLED ITS OBLIGATIONS UNDER THAT PROTOCOL. PRESENT INTERNATIONAL LAW DOES NOT SET FORTH ANY CLEAR RESPONSIBILITY FOR THE REMOVAL OF MINES OR OTHER REMNANTS OF WAR FROM A BATTLE AREA. IT HAS GENERALLY BEEN CONSIDERED THAT THE STATE WHICH IS SOVEREIGN OVER A TERRITORY, ESPECIALLY ONE WHICH WAS A PARTY IN A CONFLICT, IS RESPONSIBLE FOR THE AREA UNDER ITS JURISDICTION. END FYI.

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